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ORACLE AMERICA, INC.

21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA  
23 SAN FRANCISCO DIVISION

24 ORACLE AMERICA, INC.  
25 Plaintiff,  
26 v.  
27 GOOGLE INC.  
28 Defendant.

Case No. CV 10-03561 WHA

**[PROPOSED] ORDER GRANTING  
ORACLE'S RULE 50(b) MOTION FOR  
JUDGMENT AS A MATTER OF LAW**

Dept.: Courtroom 8, 19th Floor  
Judge: Honorable William H. Alsup

1 This Court has read and considered Plaintiff Oracle America, Inc.'s Rule 50(b) Motion  
2 For Judgment As A Matter Of Law as well as any Opposition thereto and Reply in support  
3 thereof, and any and all additional supporting papers.

4 Based thereon [and on statements made by counsel at the hearing on the Motion], IT IS  
5 HEREBY ORDERED THAT Oracle's Motion is GRANTED.

6 As a matter of law, Google's copying of the declaring code and SSO of 37 Java API  
7 packages was not a fair use. The Judgment (ECF No. 1989) entered in favor of Google Inc. is  
8 vacated. Phase II of the trial regarding damages will be scheduled in due course.

9 IT IS SO ORDERED.

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THE HONORABLE WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE  
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